

Message Text

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ORIGIN EUR-12

INFO OCT-01 IO-10 ISO-00 DODE-00 ERDA-05 CIAE-00 H-01

INR-07 L-02 NSAE-00 OIC-02 OMB-01 PA-01 PM-03 PRS-01

SAJ-01 SAM-01 SP-02 SS-15 USIA-06 TRSE-00 NSC-05

ACDA-05 BIB-01 COME-00 EB-07 LAB-04 SIL-01 CU-02 /096 R

DRAFTED BY L/EUR:HRUSSELL:EUR/RPM:DTELLEEN:RM

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FM SECSTATE WASHDC

TO USMISSION GENEVA

C O N F I D E N T I A L STATE 048537

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG, EGEN

SUBJECT: CSCE: BASKET 2 - MIGRATORY LABOR TEXT IN OTHER
AREAS SUBCOMMITTEE

REFS: A) GENEVA 1312; B) GENEVA 1089; C) STATE 39271

GENEVA FOR USDEL CSCE

1. APPRECIATE CANADIAN ASSURANCE (REF A) THAT THEY CONSIDER
TEXT AS PRESENTLY DRAFTED CLEARLY APPLIES ONLY TO MIGRANT
LABOR IN EUROPE. HOWEVER, WE DO NOT COMPLETELY SHARE
CANADIAN REP'S VIEW THAT REFERENCE TO "MIGRANT WORKERS IN
EUROPE" IN FIRST PREAMBULAR PARA IS ALONE ADEQUATE TO REMOVE
THE AMBIGUITY IN THE TEXT WHICH WOULD ALLOW IN INTERPRETATION
THAT THE TEXT IS TO APPLY TO ALL MIGRANT LABOR PROBLEMS OF
PARTICIPANTS. SUBSEQUENT PREAMBULAR PARAS, WHICH ARE AS
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GENERALLY FRAMED AS FIRST PREAMBULAR PARA, DO NOT MENTION

"IN EUROPE" LIMITATION. IN OUR VIEW TEXT AS IT NOW STANDS
COULD BE CONSTRUED TO APPLY TO WORLDWIDE MIGRANT LABOR
PROBLEMS OF "THE PARTIES CONCERNED."

2. IN VIEW OF SERIOUS BASKET 3 PROBLEMS WHICH WOULD BE
CAUSED BY PRESSING A FURTHER REFERENCE TO EUROPE IN THIS
TEXT, WE CAN AGREE TO FOREGO THAT APPROACH, BUT ONLY IF NEW
SWISS PREAMBULAR PARA IS INCLUDED SUBSTANTIALLY AS REPORTED

REF B. THIS PARA WOULD MAKE CLEAR THAT TEXT IS DECLARATIVE
OF CERTAIN POLITICAL AIMS WHICH REQUIRE FURTHER BILATERAL
ARRANGEMENTS BY INTERESTED PARTIES TO PUT THEM INTO EFFECT.

3. IN ADDITION, IMPLICATION THAT TEXT COULD APPLY TO
MIGRANT LABOR PROBLEMS OF PARTICIPANTS WITH NON-PARTICI-
PATING STATES WOULD BE FURTHER DIMINISHED IF WORDS "THE
PARTIES DIRECTLY CONCERNED" WERE REPLACED BY "THE PARTI-
CIPATING STATES DIRECTLY CONCERNED" IN THE SWISS PARA. DEL
SHOULD ATTEMPT TO SECURE CANADIAN AND CONFERENCE AGREEMENT
TO THIS CHANGE.

4. INTERPRETATION THAT TEXT IS INTENDED TO APPLY ONLY TO
EUROPEAN SITUATION AS SUGGESTED PARA 4 REF A SHOULD BE
CIRCULATED IN WRITING AS A CONFERENCE DOCUMENT OR TAKEN
NOTE OF IN CONFERENCE DAILY JOURNAL. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MIGRATORY WORKERS, POLICIES, COMMITTEE MEETINGS, RESOLUTIONS, BASKET II
Control Number: n/a
Copy: SINGLE
Draft Date: 04 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE048537
Document Source: CORE
Document Unique ID: 00
Drafter: HRUSSELL:EUR/RPM:DTELLEEN:RM
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750076-1156
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750383/aaaacwst.tel
Line Count: 86
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 GENEVA 1312, 75 GENEVA 1089, 75 STATE 39271
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 26 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 JUN 2003 by WorrelSW>; APPROVED <30 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CSCE: BASKET 2 - MIGRATORY LABOR TEXT IN OTHER AREAS SUBCOMMITTEE
TAGS: PFOR, EGEN, XG, CSCE
To: GENEVA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006